



23 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

RADEMACHER et al. MAIL

Serial No. 10/009,629

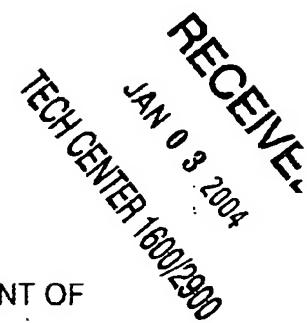
Filed: December 12, 2001

For: METHOD OF GENERATING PLANTS WITH AN INCREASED CONTENT OF FLAVONOIDS AND PHENOLIC CONSTITUENTS



Group Art Unit: 1616

Examiner: PRYOR, A.



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

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Jason D. Voight

Signature

December 20, 2004

Date of Signature

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 CFR 1.111

In response to the Office action of August 19, 2004, please enter the following amendment.

02/08/2005 RHM/RMN 0000004 110345 10009629

01 FC:1251 120.00 DA

RADEMACHER et al., Ser. No. 10/009,629

Moreover, the claimed process and compositions would not have been obvious in view of the cited art. None of the cited references contains any teaching or suggestion to use acylcyclohexanedi ones to increase and qualitatively modify the content of flavonoids and phenolic constituents in plants. Ilan et al. even teaches away from the claimed process because Ilan et al. reports that treating carrot cell cultures with prohexanedione results in decreased content of anthocyanine, which is a flavonoid. Consequently, a skilled person would have deduced that applying acylcyclohexanedi ones to plants as such may also lead to a reduced flavonoid content in the treated plants and therefore would not have used this substance class.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

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